

Smt. Bhanwar Kanwar resident of village Jaleu of Tehsil Ratangarh in District Churu has filed this writ petition praying for a writ of mandamus directing the respondents to appoint her on the

post of Shiksha Sahayogi at Gram Panchayat, Ladhasar in place of respondent No.6 Smt. Munni Kanwar.

It is contended that she has passed middle standard (VIII) and belongs to Other Backward Class category (for short 'O.B.C.'). She was deserted by her husband and is living with her old aged parents. She has no brother therefore she is maintaining her parents as well. She has submitted an application on 04th September, 2001 to Gram Panchayat, Ladhasar for appointment as Shiksha Sahayogi. Ignoring her claim however, the respondents have appointed one Smt. Munni Kanwar wife of Bhopendra Singh (respondent No.6) on the post of Shiksha Sahayogi must against the policy of the Government in giving appointment to deserted females.

The respondents have contested the petition and contended that as per the guidelines issued by the Government dated 26th August, 2000, minimum eligibility qualification for appointment on the post of Shiksha Sahayogi is Senior Secondary/Higher Secondary or equivalent qualification with training certificate of B.S.T.C. It is only in the event of non-availability of the suitable female candidates that the middle class candidates can be appointed. However, Smt. Munni Kanwar was selected because of her better merit. Smt. Munni

Kanwar possessed the degree of Graduation with B.S.T.C. and therefore her appointment has rightly been made.

Having considered the arguments advanced by learned counsel for the parties, I am convinced that the appointment of respondent No.6 (Smt. Munni Kanwar) was made solely on the basis of her qualification and merit. While respondent No.6 is graduate and having the training certificate of B.S.T.C. the petitioner is only middle pass. The appointment to a middle pass candidate could be given only in the event of non-availability of duly qualified candidate.

In view of above, I do not find any merit in the present case. The writ petition is therefore dismissed with no order as to costs.

[MOHAMMAD RAFIQ],J.

A.K.Chahar/-